

MINUTE ENTRY

8:00 a.m.

UNITED STATES OF AMERICA -v- PEDRO Q. BABAUTA

At 8:00 a.m. 40 prospective jurors appeared for jury selection.

PRESENT: Hon. Alex R. Munson

Sanae Shmull, Court Reporter

K. Lynn Lemieux, Courtroom Deputy

Timothy Moran, Assistant U. S. Attorney

G. Anthony Long, Attorney for Defendant

Pedro Q. Babauta, Defendant

PROCEEDINGS: JURY TRIAL - Day Two

Government by Timothy Moran, AUSA. Attorney G. Anthony Long was present on behalf and with defendant, Pedro Q. Babauta. Also present was Gary Guerra Special Agent for the EPA/Criminal Investigation Division and Lorraine Babauta (spouse of defendant). 40 potential jurors were present.

Voir dire continued. A jury was seated at 10:30 a.m. consisting of the following: 1) Ogo, Mary Lynn; 2) Pangelinan, Catherine; 3) Deleon Guerrero, Polly; 4) Aguon, Maria; 5) Sasamoto, Billy; 6) Atalig, Emily; 7) Taivero, Veronica; 8) Agulto, Bryan; 9) Nekaifes, Marilyn; 10) Helgen, Jesusa; 11) Borja, Nora; 12) Prater, Margarita; Alternate #1) Tesiro, Joseph; Alternate #2) Rabauliman, Cecilia.

Court recessed at 10:30 and reconvened at 11:00 a.m.

Outside the presence of the jury, both parties stipulated to have the following Exhibits admitted into evidence the following Gov. Exs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 25, 27, 28, 29 and 31 and Defense Exhibits A, B, D, G, H, I, J, K, L and M. Court so ordered.

Government moved that all witnesses be kept out of the courtroom until called to testify; Defense had no objection. Court so ordered. Ms. Lorraine Babauta was requested to leave the Courtroom.

Jurors were brought into the Courtroom at 11:05 a.m. and the Court gave an introduction to the case.

At 11:10 a.m. Government began their opening argument and concluded at 11:22 a.m.

At 11:23 a.m. Defense began their opening statement and concluded at 11:25 a.m.

Government called witness:

CLARISSA TANAKA BEARDEN. (DEQ). DX. Ex. 34, 32, and 33 were offered into evidence; there being no objection; Court so ordered. Ex. 35 was offered into evidence; there being no objection, Court so ordered. Defense began CX at 12:40 p.m.

Court excused the jurors for the day at 1:00 p.m. and they left the Courtroom.

Court excused the witness, Ms. Bearden, and ordered that she return tomorrow at 8:

00 a.m. to continue with the trial.

Adjourned 1:00 p.m.

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